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April 19, 2024

VIA ECF

The Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street., Courtroom 11D
New York, New York 10007

**Re: *In re Google Digital Advertising Antitrust Litig.*, No. 1:21-md-03010 (PKC);
Inform Inc. v. Google LLC, et al. No. 1:23-cv-01530 (PKC)**

Dear Judge Castel:

We write as counsel to plaintiff Inform Inc. (“Inform”) in connection with *Inform Inc. v. Google LLC*, No. 1:23-cv-01530 (PKC) (the “Inform Action”), a constituent case transferred from the Northern District of Georgia into the above-referenced MDL. Pursuant to Pre-Trial Order No. 10 (“PTO 10”), MDL Dkt. 736, Plaintiff Inform seeks leave to file the proposed Third Amended Complaint (TAC) attached hereto as Exhibit A. A redline to Inform’s Second Amended Complaint is also attached hereto as Exhibit B. There is no conference scheduled at this time.

The proposed Amended Complaint will neither impact the scope of discovery nor will the filing of the TAC cause these proceedings to be delayed. The Google conduct to which Plaintiff Inform’s TAC relates has been part of the case since its filing and the claims implicated have been previously asserted. As respects the MDL Proceedings, fact discovery ends on June 28, and Plaintiff Inform does not here seek to extend that deadline in relation to the TAC.

Of note, however, Defendants have not yet provided discovery to Plaintiff as respects its Supplemental Requests for Production of Documents and supplemental source code promised by Defendants. As such, on April 17, 2024, Plaintiff Inform moved to compel that production. Defendants’ response is due next week. While we remain hopeful that the parties can complete fact discovery by or close to the Court-ordered June 28 deadline, we note that the filing of the TAC will not be the cause of any delay. We await Defendants’ production of discovery and response to our pending discovery motion.

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Pursuant to Paragraph 6 of Pre-Trial Order No. 10, Plaintiff Inform agrees with the Court's proposal to "defer[] briefing" on the sufficiency of Plaintiff's state law claims "until the summary judgment stage." PTO 10 ¶ 5.

We thank the Court for its consideration of this matter.

Respectfully submitted,

/s/ Serina M. Vash

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